

ORDINANCE NO. 2017-025

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE REZONING REQUEST OF CRYSTALIS, INC. AND CLARITY POINTE DEVELOPMENT PARTNERS, LLC, TO REZONE FROM A-1 (AGRICULTURAL DISTRICT) TO O-2 (LOCAL OFFICE DISTRICT) FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, owners of the property legally described in Exhibit "A," attached hereto and made a part hereof, Crystalis Inc. and Clarity Pointe Development Partners, LLC, are requesting a rezoning of said property from A-1 (Agricultural District) to O-2 (Local Office District); and

WHEREAS, the proposed rezoning to O-2 has an underlying land use of Office Professional (OP); and

WHEREAS, the proposed rezoning is consistent with the effective land use plan of the City of Coconut Creek; and

WHEREAS, the property owners have met the requirements of Chapter 13, Code of Ordinances, Article III thereof, entitled "Zoning Regulations," of the City of Coconut Creek; and

WHEREAS, the proposed development would promote the public health, safety, and welfare of the residents of the City of Coconut Creek; and

WHEREAS, at its public hearing held on May 11, 2016, the Planning and Zoning Board heard, reviewed, and duly considered the reports, findings, and recommendations of the City staff, together with the opinions and testimony stated at

the public hearing, and has recommended approval of the rezoning to the City Commission subject to the following condition:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit; and

WHEREAS, the City Commission finds and determines that this action is in the best interest of the City based upon all the Development Review Committee comments and minutes, Planning and Zoning Board minutes, City staff reports, and findings of fact pertaining to this project located within the official City Development/Project file kept within the Department of Sustainable Development.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: Ratification. That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: Public Purpose. That the City Commission finds and determines that the above described rezoning is in the best interest of the residents of the City of Coconut Creek and serves a public purpose.

Section 3: That the City Commission hereby accepts the recommendation of the Planning and Zoning Board of May 11, 2016, and hereby approves the application made by Crystalis Inc. and Clarity Pointe Development Partners, LLC, for the property legally described in Exhibit “A,” attached hereto and made a part hereof, and hereby recommends approval of the rezoning request from A-1 (Agricultural District) to O-2 (Local Office District).

Section 4: That Crystalis Inc. and Clarity Pointe Development Partners, LLC, and their assigns shall proceed in compliance with the City of Coconut Creek Land Development Code.

Section 5: That the applicant, property owner, and or assigns agree to use City franchisees for all services related to the development and use of the subject property.

Section 6: That this rezoning shall not be construed to create a right to any development of the property that fails to meet the requirements of Chapter 13, City of

Coconut Creek Code of Ordinances, and any other Broward County Land Development Regulations, except as specifically provided in this Ordinance.

Section 7: That the City of Coconut Creek Sustainable Development Director shall make the necessary changes to the official zoning map of the City to effectuate said rezoning.

Section 8: Severability. That should any section or provision of this Ordinance, or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 9: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 10: Effective Date. That this Ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 22ND DAY OF JUNE, 2017.

PASSED SECOND READING THIS 27TH DAY OF JULY, 2017.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Tooley	<u>Aye</u> ___	<u>Aye</u> ___
Rydell	<u>Aye</u> ___	<u>Aye</u> ___
Sarbone	<u>Aye</u> ___	<u>Aye</u> ___
Belvedere	<u>Aye</u> ___	<u>Aye</u> ___
Welch	<u>Aye</u> ___	<u>Aye</u> ___

EXHIBIT "A"

LEGAL DESCRIPTION:

The West 330.00 feet of Tract 40, Block 85, PALM BEACH FARMS COMPANY PLAT NO. 3, according to the Plat thereof on file in the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 2, Pages 45 through 54; said land lying, being and situated in Broward County, Florida.